

PATENT COOPERATION TREATY

PCT

REC'D 04 MAY 2005

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

PCT

(PCT Article 36 and Rule 70)

| | | |
|---|--|--|
| Applicant's or agent's file reference 302730WO/KCS/JMT/ab | FOR FURTHER ACTION See Form PCT/IPEA/416 | |
| International application No. PCT/IB2004/000165 | International filing date (day/month/year) 22-01-2004 | Priority date (day/month/year) 24-01-2003 |
| International Patent Classification (IPC) or national classification and IPC H04M 17/00. H04Q 7/22 | | |
| Applicant Nokia Corporation et al | | |

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 9 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input checked="" type="checkbox"/> | Box No. II | Priority |
| <input checked="" type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

| | |
|---|--|
| Date of submission of the demand 28-07-2004 | Date of completion of this report 21-04-2005 |
| Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88 | Authorized officer Peter Hedman/MN Telephone No. +46 8 782 25 00 |

Form PCT/IPEA/409 (cover sheet) (January 2004)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2004/000165

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1-21 _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

pages 22-24, 26-28 _____ as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* 25 received by this Authority on 11.04.2005

pages* _____ received by this Authority on _____

☒ the drawings:

pages 1-4 _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. II Priority

1. ☐ This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
 - ☐ copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
 - ☐ translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2. ☐ This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

The priority is considered valid, hence document US 2003/078031 A1 is of no relevance for this report.

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application☒ claims Nos. 21-34, 37, 38

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.☒ no international search report has been established for said claims Nos. 21-34, 37, 38☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the
Administrative Instructions in that:

the written form

☐ has not been furnished☐ does not comply with the standard

the computer readable form

☐ has not been furnished☐ does not comply with the standard☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with
the technical requirements provided for in the Annex C-bis of the Administrative Instructions.☐ See Supplemental Box for further details.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. IV Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
☐ paid additional fees.
☐ paid additional fees under protest.
☒ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:

- ☐ complied with.
☒ not complied with for the following reasons:

The following separate inventions were identified:

I: Claims 1-20,35,36 are directed to a communications method and system, comprising a controller for managing the access to a plurality of services in a session, by requesting an amount of money to be reserved and by controlling the allocation of said reserved portion between said plurality of services.

II: Claims 21-34,37,38 are directed to a communications method and system comprising a controller for converting a requested amount of money for accessing a plurality of services simultaneously, from a first form type to a second form type.

The only feature common to both groups is the "communications method and system comprising a controller used for the reservation of an amount of money for accessing a plurality of services".

The features defined in the group of claims are not the same or corresponding, that is they have different technical effects related to different technical problems.

The special technical features of group I solve the objectively determined problem of how to control the allocation of a reserved amount of money between a plurality of service in a single session in a prepaid environment.

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4. Consequently, this report has been established in respect of the following parts of the international application:

- ☐ all parts.
☒ the parts relating to claims Nos. 1-20, 35, 36

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: BOX IV

The special technical features of group II solve the objectively determined problem of how to convert the reserved amount of money for a plurality of simultaneous services, from a first type of form to a second type of form, in a prepaid environment.

Thus, these two groups of inventions do not have any special technical features in common, nor do they have any corresponding special technical features as meant by Rule 13.2 PCT, as they relate to different solutions of different objectively determined problems. Hence, Rule 13.1 PCT is not satisfied and the subject matter of the application contains two subjects which are not linked by a single inventive concept.

It is therefore considered that the international application does not comply with the requirements of unity of invention.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|---------------------|-----|
| Novelty (N) | Claims | <u>1-20, 35, 36</u> | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | <u>1-20, 35, 36</u> | YES |
| | Claims | | NO |
| Industrial applicability (IA) | Claims | <u>1-20, 35, 26</u> | YES |
| | Claims | | NO |

2. Citations and explanations (Rule 70.7)

The claimed invention relates to the problem of giving access to a number of different services in a single session in the context of a prepaid environment.

Reference is made to the following document:

D1: US 5995 822 A

Document D1, which is considered to represent the most relevant state of the art, discloses a prepaid system and method for controlling the access to one or more simultaneous communications, by reserving a first portion of money from the users account when the first communication starts, and reserving a second portion of said money already depleted by all or some of said first portion from the users account for the second simultaneous communication, from which the subject-matter of claim 1 differs in that since there are simultaneous services accessed in a single session, the reservation of a portion of money from the prepaid amount has to be done at one step for all services and then allocated to between them.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as how to control the access to a plurality of services in a single session, in a prepaid environment.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

The system and method proposed comprises a controller responsible for requesting the reservation of a portion of the

.../...

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

prepaid amount for the services to be accessed in a single session and for controlling the allocation of said reserved portion between said plurality of services.

The same reasoning applies to the subject-matter of the corresponding independent claims 35 and 36, which therefore are also considered new and inventive.

Claims 2-20 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

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Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

| Application No. Patent No. | Publication date (day/month/year) | Filing date (day/month/year) | Priority date (valid claim) (day/month/year) |
|-------------------------------|--------------------------------------|---------------------------------|---|
| US 2003/078031 | 24.04.2003 | 28.03.2002 | 19.10.2001 |

2. Non-written disclosures (Rule 70.9)

| Kind of non-written disclosure | Date of non-written disclosure (day/month/year) | Date of written disclosure referring to non-written disclosure (day/month/year) |
|--------------------------------|--|---|
|--------------------------------|--|---|

a first entity for storing information defining the amount of money for said at least one user device; and

a controller for requesting the reservation of at least a portion of said amount of money,

5 wherein said first entity is arranged to send information defining the amount of said reserved portion in a first form and said controller is arranged to convert information relating to said reserved amount to a second form.

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22. A system as claimed in claim 21, wherein said first entity is arranged to store data defining an amount of said portion.

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23. A system as claimed in claim 21 or 22, wherein said first entity is arranged to store a reference name in association with data defining the amount of said portion.

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24. A system as claimed in claim 23, wherein said data is one of a cost for a unit amount of a payment parameter of said service.

25

25. A system as claimed in claim 24, wherein said payment parameter is data volume, time, or service parameter of said service.

26. A system as claimed in claim 23, 24 or 25 wherein said reference name is a dummy APN.

30

27. A system as claimed in any of claims 23 to 26, wherein the request sent by said controller to said first entity comprises said reference name.